

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CONNECTU LLC,

Plaintiff,

v.

MARK ZUCKERBERG, EDUARDO SAVERIN,
DUSTIN MOSKOVITZ, ANDREW MCCOLLUM,
CHRISTOPHER HUGHES, and THEFACEBOOK,
INC.,

Defendants.

CIVIL ACTION NO. 1:04-CV-11923
(DPW)

MARK ZUCKERBERG, and THEFACEBOOK,
INC.,

Counterclaimants,

v.

CONNECTU LLC,

Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER
WINKLEVOSS, and DIVYA NARENDRA,

Additional Counterdefendants.

**THE FACEBOOK DEFENDANTS' MOTION TO COMPEL PARTICULARIZED
IDENTIFICATION OF TRADE SECRETS IN RESPONSE TO THE FACEBOOK
DEFENDANTS' INTERROGATORY NO. 2**

I. MOTION TO COMPEL

For the reasons set forth in the accompanying Memorandum, Defendants Mark Zuckerberg, Dustin Moskovitz, Andrew McCollum, Christopher Hughes, and TheFacebook, Inc.¹ (“The Facebook Defendants”) hereby move to compel the Plaintiff, ConnectU LLC (“ConnectU”) to comply with Massachusetts law and provide an adequate response to The Facebook Defendants’ Interrogatory No. 2.

Specifically, the Facebook Defendants move the Court to compel ConnectU to provide a Response to Interrogatory Number 2 that, consistent with *Staffbridge, Inc. v. Nelson Assocs., Inc.*, No. 024912-BLS, 2004 WL 1429935, at *1, 4 (Mass. Super. June 11, 2004) (emphasis added), describes “with **rigorous and focused particularity** what, and only what, the plaintiff[] claim[s] to constitute the trade secrets allegedly misappropriated by ... the defendants that form the basis for this law suit.”

I. REQUEST FOR ORAL ARGUMENT

The Facebook Defendants believe that oral argument may assist the Court, and wish to be heard on the issues presented in this Motion and the accompanying Memorandum Brief.

II. PROPOSED ORDER

A proposed Order is submitted with this Motion.

III. CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2) AND F.R.C.P. 37(A)(2)(B)

Counsel for the Facebook Defendants certifies that pursuant to Local Rule 7.1(a)(2) and F.R.C.P. 37(a)(2)(B) they met and conferred with counsel for ConnectU regarding this motion. On September 1, 2005, a teleconference occurred between Monte M.F. Cooper (on behalf of The Facebook Defendants), Robert Hawk and Bhanu Sadasivan (on behalf of Eduardo Saverin), and

¹ Defendant Eduardo Saverin is represented by separate counsel in this matter.

John F. Hornick and Troy E. Grabow (on behalf of ConnectU) to discuss the issues addressed in this Motion and the accompanying Memorandum. Despite the conference, the parties were unable to resolve or narrow the issues.²

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² Copies of the Facebook Defendants' Interrogatory Number 2, and ConnectU's Response to Interrogatory Number 2, and the letter dated August 25, 2005 from Joshua Walker to Troy Grabow, are attached as Exhibits 1-3 ("Exs. 1-3") to the accompanying Affidavit of Monte M.F. Cooper in Support of the Motion to Compel ("Cooper Aff."). ConnectU's Responses to the Facebook Defendants' Interrogatories are marked "Confidential." However, in letters dated August 31, 2005 and September 1, 2005, the parties have agreed that the Interrogatories will be de-designated non-confidential. See Cooper Aff. Exs. 4-5.

Dated: September 8, 2005.

Respectfully submitted,

/s/ Monte M.F. Cooper

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